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August 9, 2019

**Via ECF**

The Honorable James Orenstein  
United States District Court – Eastern District of New York  
225 Cadman Plaza East, Courtroom 11D  
Brooklyn, New York 11201

Re: *Stevens Baldo & Lighty, PLLC v. Delluniversita et al.*  
Case Number 2:18-cv-01600-MKB-JO

Dear Magistrate Judge Orenstein:

As the Court is aware, my firm, Moritt Hock & Hamroff LLP, was recently retained to represent Defendants Paul A. Delluniversita and Kelly Walsh (“Paul and Kelly”) in the above-referenced action (“Action”). We are currently in the process of reviewing the Action as permitted by Your Honor's Order dated August 6, 2019 (*see* August 6, 2019 Entry on the Docket). During our review of the Action, it has come to our attention that a letter motion dated August 2, 2019 (Docket No. 126) was filed by Defendant Anthony P. Delluniversita, who is an attorney (“Attorney Anthony”), purportedly on behalf of all defendants, including Paul and Kelly, which requested that the Court reconsider its decision on July 24, 2019 (Docket No. 121) to “preclude the defendants from offering any exhibit or testimony in evidence, or making any argument, in support of the proposition that any or all of them provided fair consideration to PCA Collectibles, Inc.”

On August 5, 2019, the Court issued an Order (*see* August 5, 2019 Entry on the Docket) noting, *inter alia*, that “[t]o the extent [Attorney Anthony] seeks relief on behalf of defendants he no longer represents, I deny the motion without prejudice to his co-defendants’ rights to seek similar relief for themselves either individually or through an attorney who files a notice of appearance as counsel of record.”

While our review of the file is on-going and will be timely completed, we wanted to inform the Court that we, on behalf of our clients, Paul and Kelly, intend to submit a response



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respectfully requesting that the Court reconsider its July 24, 2019 preclusion decision.<sup>1</sup> Therefore, we respectfully request that the Court not issue a decision on the application for reconsideration until we have completed our review of the file and have submitted our response on behalf of Paul and Kelly. I thank the Court for its time and consideration to the matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Cardello III'.

Michael Cardello III

cc: Kenneth G. Walsh, Esq., Counsel for Plaintiff  
(via ECF and email at [kw Walsh@kgwalshlegal.com](mailto:kw Walsh@kgwalshlegal.com))

Anthony J. Delluniversita, Defendant pro se  
(via Regular Mail at 56 Easton Avenue, North Babylon, NY 11703)

Anthony Paul Delluniversita, Defendant pro se  
(via Regular Mail at 2 W Main Street, Suite Se3, Bay Shore, NY 11706)

Gail A. Delluniversita, Defendant pro se  
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Trustee Gail A. Delluniversita, Defendant pro se  
(via Regular Mail at 56 Easton Avenue, North Babylon, NY 11703)

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<sup>1</sup> Prior to our engagement, on August 2, 2016, Paul submitted a letter (Docket No.130, although incorrectly noted on Docket No. 130 as a letter dated "July 10, 2019") objecting to the Bill of Costs ordered by the Court on August 1, 2019 (*see* August 1, 2019 Entry on the Docket), Paul did not object, as a Pro Se Defendant, to the preclusion order set forth in Docket No. 121.